

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ISABEL GARCIA MEZA,

Plaintiff,

vs.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF  
WASHINGTON,

Defendant.

NO. CV-07-3102-CI

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND DISMISSING  
COMPLAINT WITH PREJUDICE

**1915(g)**

Magistrate Judge Imbrogno filed a Report and Recommendation on May 28, 2008, recommending Mr. Garcia-Meza's complaint be dismissed for failure to state a claim upon which relief may be granted, and that such dismissal count as one under 28 U.S.C. § 1915(g). There being no objections, the court **ADOPTS** the Report and Recommendation. **IT IS ORDERED** the complaint is **DISMISSED WITH PREJUDICE** under 28 U.S.C. §§ 1915(e)(2) and 1915A(b)(1).

Pursuant to 28 U.S.C. § 1915(g), enacted April 26, 1996, a prisoner who brings three or more civil actions or appeals which are dismissed as frivolous or for failure to state a claim will be precluded from bringing any other civil action or appeal *in forma pauperis* "unless the prisoner is under imminent danger of serious

1 physical injury." 28 U.S.C. § 1915(g). Plaintiff is advised to read  
2 the new statutory provisions under 28 U.S.C. § 1915. This dismissal  
3 of Plaintiff's complaint may count as one of the three dismissals  
4 allowed by 28 U.S.C. § 1915(g) and may adversely affect his ability to  
5 file future claims.

6 IT IS SO ORDERED. The District Court Executive is directed to  
7 enter this Order, forward a copy to Plaintiff at his last known  
8 address, enter judgment, and close the file. The District Court  
9 Executive is further directed to forward a copy of this Order to the  
10 Office of the Attorney General of Washington, Criminal Justice  
11 Division. The District Court Executive shall also send a courtesy  
12 copy of this Order to Attorney William A. Schuler, III.

13 DATED this 18<sup>th</sup> day of June 2008.

14 S/ Robert H. Whaley

15 ROBERT H. WHALEY  
16 CHIEF UNITED STATES DISTRICT JUDGE

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